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The San Francisco 49ers

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

# IN RE SAN FRANCISCO 49ERS DATA BREACH LITIGATION

Case No.: 3:22-cv-05138-JD  
[Hon. James Donato]

## **JOINT STATUS REPORT**

Action Filed: September 9, 2022

Plaintiffs Samantha Donelson and Katherine Finch together with Defendant Forty Niners Football Company LLC dba The San Francisco 49ers (“the 49ers” and collectively with Plaintiffs, the “Parties”), hereby file this joint statement following the hearing on Defendant’s Motion to Dismiss Plaintiffs’ Complaint:

1. On March 7, 2024, the Parties appeared for the hearing on Defendant's Motion to Dismiss Plaintiffs' Complaint during which the Parties discussed with the

Court the possibility of resolving the action through settlement discussions.

2. In light of the potential for settlement, the Court agreed to hold the ruling on the Motion to Dismiss in abeyance for thirty (30) days to allow time for the parties to renew settlement discussions. ECF No. 54.

3. The Parties met and conferred and, on April 5, 2024, the Parties filed a Joint Status Report requesting additional time to continue settlement discussions. ECF No. 55.

4. The Parties have further met and conferred and have been unable to agree on settlement terms. Accordingly, the Parties respectfully request that the Court issue its ruling on Defendant's Motion to Dismiss Plaintiffs' Complaint.

Respectfully submitted this 22<sup>nd</sup> day of April, 2024.

DATED: April 22, 2024

## **BAKER & HOSTETLER LLP**

By: /s/ Marcus McCutcheon

Marcus McCutcheon

# Casie D. Collignon

Michelle R. Gomez

*Attorneys for Defendant*

Forty Niners Football Company LLC dba  
The San Francisco 49ers

DATED: April 22, 2024

**MILBERG COLEMAN BRYSON  
PHILLIPS GROSSMAN PLLC**

By: /s/ John J. Nelson

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John J. Nelson

*Attorneys for Plaintiffs and the  
Proposed Class*

## **ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I, Marcus McCutcheon, hereby certify that I have obtained the concurrence in the filing of this document from all signatories listed above. I further attest that I have on file records to support this concurrence for subsequent production to the Court if so ordered or for inspection upon request.

Dated: April 22, 2024

/s/Marcus McCutcheon